

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE
NO. 04-10291 PBS

MAURICE DUBOSE
Defendant

REPORT & ORDER ON
INITIAL STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On November 10, 2004, the parties appeared before this Court for an Initial Status Conference. With regard to the following issues, the parties have represented that:

1. There are no unusual or complex issues presented requiring an early joint conference of the District Judge or the Magistrate Judge with the attorneys;
2. The defendant requests additional time, up to December 10, 2004, to review the discovery provided and to make additional discovery requests. The government does not object to request. The defendant does not anticipate filing a motion to suppress;
3. Because the defendant has requested additional time and may be making additional discovery requests, it is unknown at this time whether there will be additional supplemental discovery;
4. Discovery concerning any expert witnesses pursuant to Fed. R. Crim. P. 16 (a)(1)(E) & 16(b)(1)(C). The government has produced ballistics reports. The defendant does not expect to produce expert discovery. The government agrees to produce any additional discovery relating to expert testimony at least four (4) weeks prior to trial and the defendant agrees to provide expert discovery no later than two (2) weeks prior to trial ;
5. The applicable periods of excludable delay under the Speedy Trial Act include: September 28, through October 26, 2004 (28 days), for a total of twenty-eight (28) days as of October 26, 2004. The parties agreed (orally) at the status conference that the time period from October 26, 2004, through December 21, 2004, be excluded. The government will file a joint motion for the applicable periods of excludable delay. The total amount of time to proceed to trial is seventy (70) days as of October 26, 2004;

6. Trial is uncertain at this time. If the case were to proceed to trial, the parties anticipate a three (3) day trial;
7. There are no other matters.

IT IS HEREBY ORDERED THAT

A motion date pursuant to Fed. R. Crim. P. 12 (c) has been established. Dispositive motions shall be due on or before December 20, 2004, with the government's motions due fourteen (14) days thereafter. A **Final Status Conference** is scheduled at **2:00 p.m. on December 21, 2004**, in Courtroom 24, 7th floor.

Pursuant to LR 116.5 (C), parties shall confer and, not later than three (3) business days before the Final status Conference, prepare and file a joint Final Status Conference Memorandum.

HONORABLE JOYCE LONDON ALEXANDER
U.S. MAGISTRATE JUDGE

By the Court:

November 29, 2004
Date

/S/ Rex Brown
Courtroom Clerk
(617) 748-9238